IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPLICATION NO.44 OF 1999

THe Commissioner of Income-tax
Mumbai City - VII, Mumbai .. Petitioner.
V/s.
M/s.N. Nayankumar & Co. .. Respondent.

Mr.Ashok Kotangale for the petitioner.
Mr.B.V. Jhaveri for the respondent.

CORAM : DR.S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.

DATED : 12TH MARCH, 2007.

P.C. :

1. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The above appeal was admitted on 23rd June, 1999 by this Court on the following question of law.

> Whether on the facts and in the circumstances of the case, the ITAT was justified in deleting penalty under section 271(1)(c) of the I.T. Act, 1961 ?

3. In view of our order dated 5th March, 2007 passed in Income Tax Application Nos. 53/99, 57/99 and 58/99 dismissing the applications, this application also stands dismissed.

(DR.S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)